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08 JUN 18 PM 2:58

BY: *GP*

DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID FRIAS-HERNANDEZ,

Defendant.

Criminal Case No. **08 CR 2027**

**WQH**

I N D I C T M E N T

Title 8, U.S.C., Secs. 1326(a)  
and (b) - Attempted Entry After  
Deportation

The grand jury charges:

On or about July 21, 2007, within the Southern District of California, defendant DAVID FRIAS-HERNANDEZ, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e., conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act to wit, crossing the border from Mexico into the United States, that was a substantial step toward committing the offense, all in violation of Title 8, United States Code, Sections 1326(a) and (b).

CJB:fer:San Diego  
6/17/08

1 It is further alleged that defendant DAVID FRIAS-HERNANDEZ was  
2 removed from the United States subsequent to March 28, 2006.


3 DATED: June 18, 2008.

4 A TRUE BILL:

5  
6  
7 Foreperson

8 KAREN P. HEWITT  
United States Attorney

9  
10 By:

11   
CARLA J. BRESSLER  
Assistant U.S. Attorney